IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : David Arsenault   Art Unit : 2143
Serial No. : 09/693,840   Examiner : Thomas J. Mauro Jr.
Filed   : October 23, 2000   Conf. No. : 8612
Title   : PROCESSING SELECTED BROWSER REQUESTS

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

<u>REPLY BRIEF</u>

Pursuant to 37 C.F.R. § 41.41, Applicant responds to the Examiner's Answer as follows.

Applicant withdraws the appeal of claims 7-11, 18-22, 29-33, and 61-72, but maintains the appeal of claims 34-60.

With respect to independent claims 34, 43, and 52, the Examiner's Answer asserts that Yedidia's (U.S. Patent No. 6,565,243) description of directing an original request to Yedidia's storage 54 in combination with Kraemer (U.S. Patent No. 6,490,602) renders the subject matter of independent claims 34, 43, and 52 obvious. See Examiner's Answer, pages 16-17. Applicant respectfully disagrees, for at least two reasons.

First, neither Kraemer or Yedidia describe or suggest intercepting a request and directing it to "a *server* other than the destination server," as recited in independent claims 34, 43, and 52 (emphasis added). Kraemer describes a system in which a client device 120 connects to an enhanced functionality server 100. The user can then use a browser to request webpages on websites 130, with the requests first being sent to the enhance functionality server 100, which performs additional processing than what is normally done for such a request. Specifically, the enhanced functionality server 100 retrieves the requested webpage from website 130 and adds a toolbar to the webpage. The modified webpage is then delivered to the browser. Thus, the enhanced functionality server 100 intercepts the request and processes the request to display a toolbar in addition to the content retrieved.

Accordingly, Kraemer does not describe or suggest intercepting a request at the enhanced functionality server 100 and directing the request to a server other than the destination server. The Examiner's Answer, at pages 16-17, attempts to remedy this deficiency of Kraemer by relying on Yedidia sending a request to storage 54 to retrieve the original content specified by

the request. However, this action, at most, directs the request to a local storage, not to a *server* other than the destination server, as recited in independent claims 34, 43, and 52. This very fact is acknowledged in the Examiner's Answer:

> Yedidia does direct from the original destination, but not to yet another server besides the content injector. He directs the request to a storage local to the content injector thereby achieving faster load times and reduced latency, rather than being directed to yet another proxy causing increased wait times.

Examiner's Answer, Page 19. It is not surprising that this is acknowledged, as everything in Yedidia supports the conclusion that storage 54 is a local storage (such as a hard drive) and not a *server* other than the destination server. Specifically, as shown by Fig. 3 of Yedidia, storage 54 is part of content injector 40. Storage 54 is shown in Fig. 3 using a symbol that typically denotes a local storage unit, not a server. Furthermore, Yedidia describes how content injector 40 can be implemented using "a PC computer," thereby further reinforcing the understanding that storage 54 is a local storage (such as a hard drive) and not another server. Yedidia, col. 4, lines 21-25. Lastly, Applicant does not note any section of Yedidia that explicitly or implicitly implies that storage 54 can be another server rather than simply a local storage unit.

Thus, Kraemer does not describe or suggest intercepting a request and directing it to a *server* other than the destination server. Likewise, as acknowledged by the Examiner's Answer, Yedidia does not describe or suggest intercepting a request and directing it to a *server* other than the destination server. Accordingly, any proper combination of the two likewise fails to describe or suggest intercepting a request and directing it to a server other than the destination server, as recited in independent claims 34, 43, and 52.

Second, even overlooking the shortcomings of Kraemer and Yedidia with respect to directing a request to a *server* other than the destination server, Applicant notes that the proposed combination otherwise fails because Yedidia's sending of the request to storage 54 together with Kraemer does not suggest intercepting a request, and directing the request to a server other than the destination server, where the other server retrieves the content and causes a toolbar to be displayed in conjunction with the content. Simply, because Yedidia does not intercept a request and direct it to a location other than the destination server to have external content added at that

location, Yedidia does not suggest modifying Kraemer such that enhanced functionality server 100 intercepts a request and directs the request to a server other than the destination server to have the toolbar added at the other server.

Specifically, Yedidia's content injector 40 intercepts a request and decides whether it needs "external" content added to the original content specified by the request. Yedidia, col. 7, lines 32-54. If so, content injector 40 directs the request to either of storage 54 or an implicated destination server doe retrieval of content, depending upon the determined availability of the content within storage 54. *Id.* Importantly, once the content injector 40 retrieves the original content from the storage 54 or destination server, it is the content injector 40 itself that adds the external content to the original content. *Id.* And, more to the point, in Yedidia does not teach adding content to the original content at storage 54 to which the request was directed. In other words, Yedidia does not describe intercepting the request and directing the request to a location other than the destination server to have external content added at the other location.

Accordingly, Yedidia does not suggest modifying Kraemer such that enhanced functionality server 100 intercepts the request and directs the request to a server other to than the destination server, nor does it suggest having such a server other than the intercepting or destination server add external content to the original content. At most, Yedidia may suggest that Kraemer be modified to direct a request to a storage, rather than the destination server, to retrieve the original content to which Kramer adds the toolbar.

Therefore, for at least these reasons, the combination of Kraemer and Yedidia fails to render obvious the subject matter of independent claims 34, 43, and 52. Consequently, the rejections of claims 34, 43, and 52, and the claims that depend from them, should be reversed.

For these reasons, and the reasons stated in the Appeal Brief, Applicant submits that the final rejection should be reversed.

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Respectfully submitted,

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